

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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Garry Daniels #130075
Full name and prison number
of plaintiff(s)

v.

Herman McClain

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (✓)

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (✓)

C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket number N/A

4. Name of judge to whom case was assigned N/A

5. Disposition (for example: Was the case dismissed?
Was it appealed? Is it still pending?) N/A

6. Approximate date of filing lawsuit N/A

7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT Ventress Correctional

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Ventress

Facility. P.O. Box 767- Clayton, Al 36016

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR
CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. Herman McClain. Ventress Correctional Facility

2. _____

3. _____

4. _____

5. _____

6. _____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 1/22/06

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION
THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Excessive use of force

Threatening statement and Denying food

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

On January 22nd 2006 Plaintiff Garry Daniels Entered the Cafeteria for Diabetic Chow" and when I received my food. Officer Herman McClain C.O.1 Instructed me to sit in sequence order with other Inmates at the table, and wanted everybody [REDACTED] Close together and when I asked him was I Close enough He Comes over to me and says [REDACTED] That I was trying to be smart So Officer McClain took my food and threw it In the trash can and stuck his finger in my Face and put me out of the chow Hall, and threaten me by saying I will fuck you up and that I will dust your little ass, He denied [REDACTED] A diabetic his food, he Put His hands on me when I didn't pose a

SUPPORTING FACTS: Threat, and tried to Provoke me into a fight, and Then he Issued Threats toward me, He also Told me that I was an Inmate and was less than human, and that he is and Officer which make's him Superior over me. And that the Courts wont do a dam thing to him BECAUSE I'm a Prisoner and dont have no Rights, and that people without criminal records can do as they want to with convicted felon's.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

I would like for the Court to investigate
Officer McClain because I'm not the only one
He's done that to whatever the Court deems necessary

Harry Daniels
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on 11/24/06.
(Date)

Harry Daniels
Signature of plaintiff(s)